

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Presentment Date and Time:
April 21, 2006 at 12:00 noon

**NOTICE OF PRESENTMENT TO
VACATE THE AUTOMATIC STAY**

In Re:

EILEEN FAGAN,

Debtor.

Case No.: 04-23460-ash
(Chapter 13)

Assigned to:
Hon. ADLAI S. HARDIN, JR.
Bankruptcy Judge

PLEASE TAKE NOTICE that an order will be presented for signature to the Honorable ADLAI S. HARDIN, JR. at Chambers, 300 Quarropas Street, Room 520, White Plains, NY 10601 on the 21st day of April, 2006. The proposed order will seek to vacate the automatic stay imposed by 11 U.S.C. §362 and §1322(b)(5) with regard to the premises commonly known as 16 BREWSTER AVENUE, STONY POINT, NY 10980; a copy of which order is annexed hereto.

If you have good reason to object to the granting of the proposed order, you must do so in writing and at least 5 business days before the order is to be signed, you must serve the undersigned and all other entities to whom this motion has been noticed, as indicated below, with a copy of your objections stating with the legal grounds and the facts which establish the reasons for your objections. The objections shall identify the motion to which they are addressed by name of moving party, date of the hearing, relief sought by the motion, and by title, caption, and index number of the case in which the motion is made. Within the same time you must also file with the clerk of the Court the original of your objections together with proof by affidavit, admission, or otherwise that copies have been properly served. If no proper objections are timely filed and served and if the judge is satisfied from the application that the moving party is entitled to the relief sought, the order may be signed without a hearing. If proper objections are timely filed and served, a hearing will be held before the Court at 300 Quarropas Street, Room 520, White Plains, NY 10601 on the 27th day of April, 2006 at 9:45 am. If no objections are filed, the Court may sign the order without further proceedings, or may direct that the hearing be held notwithstanding the absence of objections.

DATED : April 4, 2006
Westbury, New York

Yours, etc.
STEVEN J. BAUM, P.C.
Attorneys for Secured Creditor
DEUTSCHE BANK TRUST COMPANY AMERICAS
F/K/A BANKERS TRUST COMPANY, AS TRUSTEE
By: S/_____

Dennis Jose, Esq.
Office and Post Address:
900 Merchant's Concourse, Suite 412
Westbury, NY 11590
Telephone (716) 204-2400

TO:

EILEEN FAGAN
16 Brewster Avenue
Stony Point, NY 10980

Debtor

SHMUEL KLEIN, ESQ.
268 Route 59
Spring Valley, NY 10977

Attorney for Debtor

JEFFREY L. SAPIR, ESQ.
399 Knollwood Road
Suite 102
White Plains, NY 10603

Chapter 13 Trustee

U.S. TRUSTEE
Office of the U.S. Trustee
33 Whitehall St, Floor 21
New York, NY 10004

U.S. Trustee